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| <b>Notice of Allowability</b> | <b>Application No.</b>        | <b>Applicant(s)</b>                    |  |
|                               | 10/092,100<br><b>Examiner</b> | ROBINSON, ROBERT S.<br><b>Art Unit</b> |  |
|                               | Frederick C. Nicolas          | 3754                                   |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed on 3/21/2007.
2.  The allowed claim(s) is/are 1-44 and 46-48.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 3/29/2007
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/21/2007 has been entered.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the applicant's attorney Mr. David E. Pritchard on 3/29/2007.

The application has been amended as follows:

**IN THE CLAIMS:**

Claim 1, lines 4-5, "an extension arm connected to the spigot and extending above the circumferential sidewall" has been deleted and --a spigot handle connected to the spigot, the spigot handle including an elongated portion that extends above the circumferential sidewall,-- has been inserted; line 6, "receptacles" has been deleted and --receptacle-- has been inserted; line 7, "a" has been deleted and --the-- has been inserted; line 8, "extension arm" has been deleted and

--spigot handle in a first direction-- has been inserted; line 8, after "dispensing", --a portion of-- has been inserted; line 10, "he" has been deleted and --the-- has been inserted; line 10, "receptacles" has been deleted and --receptacle-- has been inserted; line 11, after "dispensing", --the portion of-- has been inserted; "line 11, "receptacles" has been deleted and --receptacle-- has been inserted; line 12, after "surface", --; and closing the spigot by rotating the spigot handle in a second direction-- has been inserted.

Claim 3, line 2, "extension arm" has been deleted and --spigot handle-- has been inserted.

Claim 4, line 3, after "the" second occurrence, --portion of the-- has been inserted.

Claim 5, line 3, after "the" second occurrence, --portion of the-- has been inserted.

Claim 6, line 1, "has" has been deleted and --includes-- has been inserted; line 2, "the" second occurrence, has been deleted and --a-- has been inserted; line 2, after "of" second occurrence, --a portion of-- has been inserted; line 2, after "surface", --, which has flowed through the spigot onto the surface,-- has been inserted.

Claim 19, line 7, "may flow onto a" has been deleted and --flows onto the-- has been inserted; lines 8-9, "an extension arm connected to the spigot and extending above the circumferential sidewall, whereby a user may operate the spigot by rotating the extension arm" has been deleted and --a spigot handle connected to the spigot, the spigot handle including an elongated portion that extends above the circumferential

sidewall, whereby a user opens the spigot by rotating the spigot handle in a first direction, and closes the spigot by rotating the spigot handle in a second direction-- has been inserted.

Claim 22, line 1, "where" has been deleted and --whereby-- has been inserted; line 2, "the width of a liquid" has been deleted and --a width of a portion of the liquid on the surface-- has been inserted; line 2, "a" second occurrence, has been deleted and --the-- has been inserted.

Claim 28, line 2, "extension arm" has been deleted and --spigot handle-- has been inserted.

Claim 35, line 7, "may flow onto a" has been deleted and --flows onto the-- has been inserted; line 8, "a width indicator, whereby a user may compare the width of a liquid" has been deleted and --a lifting handle comprising a width indicator that includes width indicia, whereby a user is able to compare a width of a portion of the liquid on the surface-- has been inserted; line 9, "a" has been deleted and --the-- has been inserted.

Claim 38, line 2, before "width", --the-- has been inserted.

Claim 40, line 2, "the" first occurrence, has been deleted and --a-- has been inserted.

Claim 43, lines 2-3, "wheeled receptacle further includes a handle at the back, the handle including the width indicator" has been deleted and --width indicator is at the back-- has been inserted.

Claim 46, line 7, "may flow onto a" has been deleted and --flows onto the-- has been inserted; line 8, after "wall", --distinct from the circumferential sidewall-- has

been inserted; line 9, "extension arm" has been deleted and --a spigot handle-- has been inserted; line 10, "may operate the spigot by rotating the extension arm" has been deleted and --opens the spigot by rotating the spigot handle in a first direction, and closes the spigot by rotating the spigot handle in a second direction-- has been inserted.

Claim 47, line 2, "extension arm" has been deleted and --spigot handle-- has been inserted.

Claim 48, line 2, "extension arm" has been deleted and --spigot handle-- has been inserted.

***Allowable Subject Matter***

3. Claims 1-44,46-48 are allowed.
4. The following is an examiner's statement of reasons for allowance: the prior art fails to disclose or render obvious a method of applying a liquid to a surface in combination with the other claimed limitations of claim 1:

"a spigot handle connected to the spigot, the spigot handle including an elongated portion that extends above the circumferential sidewall, opening the spigot by rotating the spigot handle in a first direction and closing the spigot by rotating the spigot handle in a second direction".

The prior art fails to disclose or render obvious a wheeled receptacle for applying a liquid to a surface in combination with the other claimed limitations of claim 19:

"a spigot handle connected to the spigot, the spigot handle including an elongated portion that extends above the circumferential sidewall, whereby a user

opens the spigot by rotating the spigot handle in a first direction, and closes the spigot by rotating the spigot handle in a second direction".

The prior art fails to disclose or render obvious a wheeled receptacle for applying a liquid to a surface in combination with the other claimed limitations of claim 35:

"a lifting handle comprising a width indicator that includes width indicia, whereby a user is able to compare a width of a portion of the liquid on the surface, which has flowed through the spigot onto the surface, with the width indicator".

The prior art fails to disclose or render obvious a wheeled receptacle for applying a liquid to a surface in combination with the other claimed limitations of claim 46:

"a storage compartment including an outer wall distinct from the circumferential sidewall; and a spigot handle connected to the spigot and extending above the storage compartment outer wall, whereby a user opens the spigot by rotating the spigot handle in a first direction, and closes the spigot by rotating the spigot handle in a second direction".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

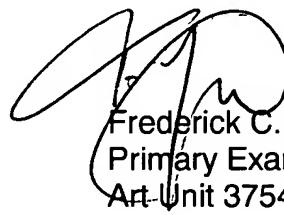
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick C. Nicolas whose telephone number is (571)-

272-4931. The examiner can normally be reached on Monday - Friday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin P. Shaver, can be reached on 571-272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FN  
March 29, 2007



3/29/07

Frederick C. Nicolas  
Primary Examiner  
Art Unit 3754